

AMENDED

Serial No. 53628

APPLICATION FOR PERMISSION TO CHANGE POINT OF DIVERSION, MANNER OF USE AND PLACE OF USE OF THE PUBLIC WATERS OF THE STATE OF NEVADA HERETOFORE APPROPRIATED

Date of filing in State Engineer's Office JUN 30 1989
Returned to applicant for correction NOV 7 1989
Corrected application filed DEC 19 1989 Map filed DEC 19 1989 under 53596

The applicant U.S. Fish and Wildlife Service
1002 NE Holladay Street of Portland
Street and No. or P.O. Box No. City or Town
Oregon 97232-4181 hereby make.s application for permission to change the
State and Zip Code No.
point of diversion, manner of use, and place of use.
Point of diversion, manner of use, and/or place of use
of water heretofore appropriated under Certificate Record No. 7839 (Permit No. 23060)
(Identify existing right by Permit, Certificate, Proof or Claim Nos. If Decreed, give title of Decree and
identify right in Decree.)

- The source of water is Indian Seed (Seep) Springs
Name of stream, lake, underground spring or other source.
- The amount of water to be changed 0.63 c.f.s. but not to exceed 456.25 acre-feet per annum.
Second feet, acre feet. One second foot equals 448.3 gallons per minute.
- The water to be used for wildlife purposes.
Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.
- The water heretofore permitted for irrigation and domestic.
Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.
- The water is to be diverted at the following point NW 1/4 SE 1/4 Sec. 7, T.18S., R.51E., M.D.B.&M. The
southeast corner of Sec. 7, same Township Describe as being within a 40-acre subdivision of public survey and by course and
and Range, bears S. 41° 26' 24" E., at a distance of 3635 feet. See Attachment B.
distance to a section corner. If on unsurveyed land, it should be stated.
for locations of springs which contribute to flow at the point of diversion.
- The existing permitted point of diversion is located within the NW 1/4 SE 1/4 Sec. 7, T.18S., R.51E., M.D.B.&M.,
or at a point from which the NE corner of said If point of diversion is not changed, do not answer
Section 7 bears N. 38° 20' E., a distance of 3729.0 feet situated in Nye County,
State of Nevada.
- Proposed place of use Ash Meadows National Wildlife Refuge (See Attachment A for legal
Describe by legal subdivisions. If for irrigation state number of acres to be irrigated.
description.)

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| 16.5 acres in the NW 1/4 SE 1/4 Section 7, T.18S., R.51E., M.D.B.&M. |
| 39.4 " " NE 1/4 SW 1/4 " " " " |
| 42.8 " " NW 1/4 SW 1/4 " " " " |
| 43.0 " " NE 1/4 SE 1/4 " " " " |
- Describe by legal subdivisions. If permit is for irrigation, state number of acres irrigated. If changing place of use and/or
manner of use of irrigation permit, describe acreage to be removed from irrigation.

- Use will be from January 1 to December 31 of each year.
Month and Day Month and Day
- Use was permitted from January 1 to December 31 of each year.
Month and Day Month and Day
- Description of proposed works. (Under the provisions of NRS 535.010 you may be required to submit plans and
specifications of your diversion or storage works.) As much as practicable, re-establish historical
State manner in which water is to be diverted, i.e., diversion structure, ditches,
natural drainage patterns and wetlands.
pipes and flumes, or drilled well, etc.
- Estimated cost of works \$70,000 for entire refuge water system.
- Estimated time required to construct works four years.

14. Estimated time required to complete the application of water to beneficial use. five years.

15. Remarks: For use other than irrigation or stock watering, state number and type of units to be served or annual consumptive use.

Water will be used on Ash Meadows National Wildlife Refuge for wildlife purposes.

By s/Robert K. Oser

U.S. Fish and Wildlife Service

1002 NE Holladay St., Portland, OR 97232-4181

Compared pm/Vjw am/se

Protested

APPROVAL OF STATE ENGINEER

This is to certify I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit to change the point of diversion, manner and place of use of the waters of Indian Seed (seep) Springs as heretofore granted under Permit 23060, Certificate 7839 is issued subject to the terms and conditions imposed in said Permit 23060, Certificate 7839 and with the understanding that no other rights on the source will be affected by the change proposed herein. A measuring device must be installed and measurements of water use kept.

The issuance of this permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

The amount of water to be changed shall be limited to the amount which can be applied to beneficial use, and not to exceed 0.63 cubic feet per second, but not to exceed 456.25 acre-feet annually.

Work must be prosecuted with reasonable diligence and be completed on or before September 28, 1992

Proof of completion of work shall be filed before October 28, 1992

Application of water to beneficial use shall be made on or before September 28, 1995

Proof of the application of water to beneficial use shall be filed on or before October 28, 1995

Map in support of proof of beneficial use shall be filed on or before N/A

Completion of work filed OCT 16 1995 IN TESTIMONY WHEREOF, I, R. MICHAEL TURNIPSEED, P.E.

Proof of beneficial use filed OCT 16 1995 State Engineer of Nevada, have hereunto set my hand and the seal of my

office, this 28th day of September

Cultural map filed

Certificate No. 14331 Issued JUN 18 1996 A.D. 19 90

[Signature]
State Engineer

Attachment A

ASH MEADOWS NATIONAL WILDLIFE REFUGE
Nye County, Nevada
Mount Diablo Meridian
Lands within Approved Boundary

T. 17 S., R. 50 E.

Section 9 Lots 7 and 8, SE $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$, S $\frac{1}{4}$ SE $\frac{1}{4}$;
10 S $\frac{1}{4}$;
12 NE $\frac{1}{4}$ NE $\frac{1}{4}$;
15 All;
16 All;
17 E $\frac{1}{4}$ E $\frac{1}{4}$;
19 SE $\frac{1}{4}$ SE $\frac{1}{4}$;
20 E $\frac{1}{4}$, S $\frac{1}{4}$ SW $\frac{1}{4}$;
21 All;
22 All;
23 Lots 3 and 4, W $\frac{1}{4}$ NW $\frac{1}{4}$;
26 S $\frac{1}{4}$;
27 All;
28 All;
29 All;
30 E $\frac{1}{4}$ E $\frac{1}{4}$;
32 E $\frac{1}{4}$, E $\frac{1}{4}$ W $\frac{1}{4}$;
33 All;
34 All;
35 All;
36 W $\frac{1}{4}$, S $\frac{1}{4}$ SE $\frac{1}{4}$;

T. 17 S., R. 51 E.

Section 31 Lot 4, SE $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, E $\frac{1}{4}$ SE $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$;
32 S $\frac{1}{4}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$;

T. 18 S., R. 50 E.

Section 1 All;
2 All;
3 All;
4 All;
9 E $\frac{1}{4}$, NW $\frac{1}{4}$;
10 All;
11 All;
12 All;
13 All;
14 All;
15 All;
16 E $\frac{1}{4}$ E $\frac{1}{4}$;
23 All;
24 All;
25 N $\frac{1}{4}$;
26 NE $\frac{1}{4}$;

T. 18 S., R. 51 E.

Section 5 All;
6 All;
7 All;
8 All;
17 W $\frac{1}{4}$ E $\frac{1}{4}$, W $\frac{1}{4}$;
18 All;
19 All;
20 W $\frac{1}{4}$ E $\frac{1}{4}$, W $\frac{1}{4}$;
29 W $\frac{1}{4}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$;
30 N $\frac{1}{4}$.

Attachment B

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LOCATIONS OF SPRINGS WHICH CONTRIBUTE TO FLOW AT POINT OF DIVERSION

<u>40-Acre Subdivision</u>	<u>Course and Distance to Survey Corner</u>
1. SW $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 7, T. 18 S., R. 51 E., M.D.B. & M.	The southeast corner of section 7, same Township and Range, bears S. 28° 12' 37" E. at a distance of 3247 feet.
2. SW $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 7, T. 18 S., R. 51 E., M.D.B. & M.	The southeast corner of section 7, same Township and Range, bears S. 29° 03' 28" E. at a distance of 3284 feet.